

THE LAW OFFICES OF LINDA M. TIRELLI, P.C.

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-All correspondence and service MUST be addressed to the White Plains NY Business Office-

Linda M. Tirelli*

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July 5, 2010

Law Offices of Alan Weinreb, PLLC
6800 Jericho Tpke. Ste. 207W
Syosset, NY 11791
Via Facsimile: (516)945-6056 and First Class US Mail

Lawrence J. Buckley, Esq.
Brice, Vander Linden & Wernick
9441 LBJ Freeway, Suite 350
Dallas, TX 75206
Via Facsimile: (972) 643-6697 and First Class US Mail

RE: My Clients: Mr. Arthur Durant
Chapter 13 Case No. 10-12269
Petition File Date: April 29, 2010
Your Client: Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities, Inc. Asset Backed Pass-Through Certificates Series 2005-R7
Claim # : 5-1

Dear Attorneys Weinreb and Buckley :

Please be advised that I am an attorney of record representing the above referenced debtor in all matters pertaining to his bankruptcy. All correspondence should be addressed to my attention and Attorney David Babel as per our respective appearances. I look forward to working with you to resolve the issues discussed below.

I am in receipt of the Proof of Claim you filed on behalf of your client, purported creditor "*Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities, Inc. Asset Backed Pass-Through Certificates Series 2005-R7*." This is puzzling as it appears neither the Note nor the Mortgage (hereinafter collectively "mortgage loan") attached to said proof of claim are in favor of said creditor. Also confusing are the FIVE(5) pages of invoices attached to the proof of claim.

Kindly provide my office with appropriate documentation evidencing your position as to your client's relationship (if any) to this loan and true owner of this purported debt obligation (if any). Please be advised that I have served both a Qualified Written Requests pursuant to RESPA and a written request pursuant to TILA. A courtesy copy is being provided to you herewith. I remind you that response time



*The Law Offices of Linda M. Tirelli and Westchester Legal Credit Solutions, designated as a Federal Debt Relief Agency by an Act of Congress and the President of the United States, proudly assists consumers seeking relief under the US Bankruptcy Code. Attorney Linda Tirelli is a proud and active member of the NACBA, devoted to the assistance of consumer debtors.

Alan Weinreb, Esq.
Lawrence Buckley, Esq.
July 5, 2010
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for each request is mandated by law and statutory damages will be sought if not received on time.

Please be further advised that the Debtor in this case:

- X Does not recognize or acknowledge the debt;
- X Disputes the amount alleged to be due and owing;
- ☐ Reserves the right to object to the claim based on applicable statute of limitations on collections;
- X Other: questions the continued standing of the named creditor, disputes the validity of the documents you provided and enforceability of the same.

At this time we are requesting verification of the debt as follows:

- X FULL ACCOUNTING ON THE DEBT (including all accrued interest, late fees, attorney or collection fees and costs);
- X DATE OF LAST ACTIVITY,
- X COPIES OF THE LOAN APPLICATION;
- X COPIES OF ALL BILLING STATEMENTS;
- X COPIES OF ALL INVOICES FOR LEGAL FEES/COLLECTION COSTS ADDED TO THIS ACCOUNT;
- X OTHER: copies of notices of default and acceleration of loan served on the debtor and each party obligated under the note at time of alleged default, copies of the guidelines used in the servicing of this loan.
- X OTHER: The identity of the real party in interest.

If I do not receive a response within **10 days** from the date of this letter, we will file an objection with the Court and set the matter for hearing. Should you have any questions concerning this matter, please feel free to contact me at the above listed number.

I look forward to receiving your timely response and anticipated cooperation. I remain,

Very truly yours,

Linda M. Tirelli, Esq.

Cc: Jeffrey Sapir, Chapter 13 Trustee
David Babel, Esq., Debtor's Counsel
Greg Zipes, Attorney, US DOJ, SDNY UST
Mr. Arthur Durant, Debtor



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